

Ministry of Labour Relations and Workplace Safety



Annual Report for 2016-17

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Letters of Transmittal



*The Honourable Don Morgan
Minister of Labour Relations
and Workplace Safety*

Her Honour, the Honourable Vaughn Solomon Schofield,

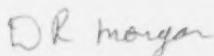
Lieutenant Governor of Saskatchewan

May it Please Your Honour:

I respectfully submit the Annual Report of the Ministry of Labour Relations and Workplace Safety for the fiscal year ending March 31, 2017.

The Ministry of Labour Relations and Workplace Safety continues to work for and with employers and employees in Saskatchewan. The Ministry is focused on ensuring workplaces are fair, safe and healthy for everyone.

The Ministry of Labour Relations and Workplace Safety is committed to increased accountability, honouring government commitments and responsibly managing expenditures.



Don Morgan, Q.C.

Minister of Labour Relations and Workplace Safety



*Michael J.R. Carr
Deputy Minister of Labour
Relations and Workplace
Safety*

The Honourable Don Morgan,

Minister of Labour Relations and Workplace Safety

Dear Minister Morgan:

I have the honour of submitting the Annual Report of the Ministry of Labour Relations and Workplace Safety for the fiscal year ending March 31, 2017.

Everyone at the Ministry of Labour Relations is committed to providing the highest quality of service to the citizens of Saskatchewan. We take great pride in the work that we do, and know that employers and employees are counting on us to assure their rights and their safety in the workplace.

The information contained in this report is accurate, complete and reliable. It provides a full picture of the Ministry of Labour Relations and Workplace Safety's activities and financial administration.



Michael J.R. Carr

Deputy Minister of Labour Relations and Workplace Safety

Introduction

This annual report for the Ministry of Labour Relations and Workplace Safety presents the Ministry's results for the fiscal year ending March 31, 2017. It provides results of publicly committed strategies, key actions and performance measures identified in the *Ministry of Labour Relations and Workplace Safety Plan for 2016-17*. It also reflects progress toward commitments from the Government Direction for 2016-17, the *Saskatchewan Plan for Growth – Vision 2020 and Beyond*, throne speeches and the Ministry.

The annual report demonstrates the Ministry's commitment to effective public performance reporting, transparency and accountability to the public.

Alignment with Government's Direction

The Ministry's activities in 2015-16 align with Government's vision and four goals:

Saskatchewan's Vision

"... to be the best place in Canada – to live, to work, to start a business, to get an education, to raise a family and to build a life."

Sustaining growth
and opportunities for
Saskatchewan people

Meeting the challenges
of growth

Securing a better quality
of life for all
Saskatchewan people

Delivering responsive
and responsible
government

Together, all ministries and agencies support the achievement of Government's four goals and work towards a secure and prosperous Saskatchewan.

Ministry Overview

Over the past year, the Ministry of Labour Relations and Workplace Safety (LRWS) developed strategies, involved stakeholders and delivered services that ensure a safe, fair, balanced and productive labour environment throughout the province.

The Ministry provides a range of services that encourage, promote and enforce safe work practices and employment standards which foster a fair and balanced employment environment that respects the rights, duties and responsibilities of employees and employers thereby ensuring healthy, safe and productive workplaces.

Delivery of Key Programs and Services

The Ministry is responsible for enforcing and promoting awareness of employment standards and occupational health and safety. The Ministry also provides mediation and conciliation services to help resolve workplace disputes as well as advocacy services for injured workers and their families.

In 2016-17, the Ministry employed staff in its central office in Regina, Employment Standards offices (Estevan, Moose Jaw, North Battleford, Prince Albert, Swift Current, Yorkton, Saskatoon and Regina) and Occupational Health and Safety offices (Estevan, Prince Albert, Swift Current, Yorkton, Saskatoon and Regina) across the province.

The 2016-17 budget and FTE allocation for the Ministry was \$18,643,000 and 154.1, respectively. Actual FTE utilization was 150.7.

The Ministry consists of five divisions:

Central Services (CS) assists the divisions within the Ministry in developing strategic policy and legislative initiatives that align with government objectives. CS is also responsible for financial management, budget development, annual planning and reporting, and other essential administrative functions of the Ministry.

Labour Relations and Mediation (LRM) provides information, training and bargaining assistance through conciliation and mediation services to labour and management in unionized workplaces. LRM assists unions and management in resolving difficult labour disputes and work stoppages due to strikes or lockouts.

Employment Standards (ES) provides services to Saskatchewan employers and employees in support of fair and equitable workplace practices. ES enforces employment standards legislation and regulations and ensures that employees and employers are aware of their rights and responsibilities under these laws.

Office of the Workers' Advocate (OWA) works to ensure that any injured worker or their dependants receives every consideration and entitlement due to them under *The Workers' Compensation Act, 2013*. The Office also works to ensure that the compensation system is fair, accountable and responsive to the needs of injured workers in Saskatchewan. OWA shares this mutual goal with the Workers' Compensation Board (WCB) and meets regularly with the WCB to achieve this goal.

Occupational Health and Safety (OHS) offers programs and services for workers and employers to help ensure safer workplaces and an improved culture of safety in Saskatchewan. OHS also provides effective oversight and enforcement of occupational health and safety standards and regulations by encouraging compliance via education and prosecutions where appropriate.

Progress in 2016-17

Government Goals - Improving Education Outcomes



Strategic priority from the *Saskatchewan Plan for Growth*: encourage healthy, safe and fair workplaces.

Ministry Goal

Reduce provincial injury rate by 50 per cent by 2020

Strategy

Expand the targeted intervention strategy to reduce workplace injuries

Expand evidence-based and sector-specific inspections

Continue *WorkSafe Saskatchewan* partnership to ensure a focus on injury rate reduction

Key Actions and Results

Continue to target employers with higher-than-average injury rates while working with employers that have completed the initiative

- ⇒ The targeted intervention strategy focuses resources on analyzing industry and employer data to identify employers with the highest injury rates. Occupational Health and Safety then conducts workplace inspections and works with those employers to develop and implement compliance improvement plans.
- ⇒ To date, 201 employers have entered the program with 145 transitioning to the Workers' Compensation Board for phase two of the program. Employers that have transitioned from phase one to phase two have sustained a 38 per cent reduction in injury claims, (from 5,771 claims to 3,554 claims, a reduction of 2,217 claims since the strategy was implemented in 2012).
- ⇒ Through the targeted intervention strategy and other measures the provincial injury rate has been reduced to 5.55 per cent, which is a 12 per cent decline from the 2015 rate of 6.30 per cent.

Increase education and enforcement of standards

- ⇒ See callout box to the right.

Continue the modernization of the occupational health and safety mines regulations to reflect leading practices

- ⇒ The Ministry continues to review *The Mines Regulations, 2003* as part of an ongoing initiative to modernize legislation and regulations under the Ministry's direction. It is anticipated that new regulations will be passed in 2017 and come into effective in 2018.

Occupational Health and Safety statistics for 2016-17

- ⇒ Injury rate declined to 5.55 per cent from 8.65 in 2013
- ⇒ 3,832 worksite inspections (2,491 in 2015-16)
- ⇒ 1,064 notices of contravention (596 in 2015-16)
- ⇒ 328 compliance undertakings (372 in 2015-16)
- ⇒ 185 stop work orders (57 in 2015-16)
- ⇒ 38 prosecutions initiated
- ⇒ 25 prosecution conviction resulting in \$870,996 in fines
- ⇒ Over 89,000 views of OHS content on saskatchewan.ca

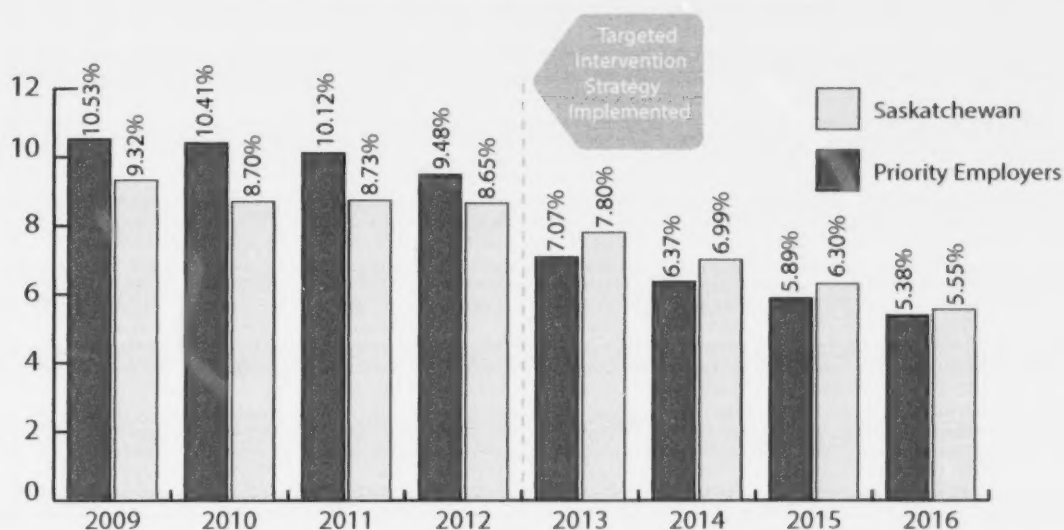
Review and report on WorkSafe Saskatchewan's detailed plan of initiatives and target deadlines

- ⇒ WorkSafe Saskatchewan is an injury prevention and workplace safety partnership between the WCB and the Ministry.
- ⇒ WorkSafe Saskatchewan continues to advance a range of initiatives to advance Mission: Zero, including in health care, residential construction and manufacturing. WorkSafe also continues to advance partnerships with other safety organizations to leverage and align prevention, education and enforcement efforts. The safety associations currently partnering with WorkSafe include: ENFORM (Saskatchewan Petroleum Industry Safety Association), Heavy Construction Safety Association of Saskatchewan, Motor Safety Association, Safety Association of Saskatchewan Manufacturers, Saskatchewan Association for Safe Workplaces in Health, Saskatchewan Construction Safety Association, Service and Hospitality Safety Association.

Performance Measures

Total Injury Rate

Total Injury Rate (per 100 full-time workers)
for Priority Employers and Saskatchewan



Source: Workers' Compensation Board, 2016

The graph above shows the total injury rate for priority employers and the provincial rate. The graph shows the injury rate for the period 2009 to 2016 to identify the progress to reduce these rates.

Priority employers are those organizations with the highest injury rates in the province. These employers have the greatest need for improvement.

As can be seen by the graph, with the introduction of the targeted intervention strategy in 2012-13 the injury rate for priority employers has steadily declined, bringing with it the provincial injury rate.

The original measure was established in 2012-13 when there were only 24 priority employers in the program. In subsequent years, OHS continued to report on the results for just those 24 employers for reasons of comparability and methodological consistency. However, there are now over 200 priority employers in the program, so the measure has been changed to capture the outcomes of this much larger pool. This will result in some disparities in year-over-year reporting.

Ministry Goal

Increase compliance with employment standards

Strategy

Develop and implement new strategies to ensure compliance and assure a level playing field for all Saskatchewan enterprises

Key Actions and Results

Continue to develop education and enforcement tools to increase awareness of rights and responsibilities, and ensure compliance with The Saskatchewan Employment Act and associated regulations

- ⇒ In 2016-17, Employment Standards conducted 11 webinars (245 participants) and 38 in-person presentations (863 participants) across the province.

Continue to evaluate sectors where there is a lack of compliance with existing standards and identify reasons for the lack of compliance

- ⇒ The Division is continuing to collect and analyze complaint information related to the sector and type of complaint received in order to identify trends in compliance. In 2017-18, this information will be used to assist the Ministry in focusing resources to those sectors with lower than average compliance rates.

Continue to promote the Young Workers Readiness Certificate Course to youth and employers

- ⇒ Employment Standards continues to provide young workers with basic information about their rights and responsibilities in the workplace while minimizing the incidence of non-compliance to ensure that young workers remain safe.
- ⇒ Since the updated online course was launched in September, 2015, 15,235 young workers have taken the Young Workers Readiness Certificate Course (YWRCC).
- ⇒ In 2016-17 there were 10,115 YWRCC certificates issued. This is equivalent to 37 per cent of youth aged 14 and 15 in the province.
- ⇒ Employment Standards encourages teachers to incorporate the course into their career preparation and similar curriculums. Eighty-six per cent of school divisions report using the YWRCC program as part of their career preparation curriculum.

Employment Standards statistics for 2016-17

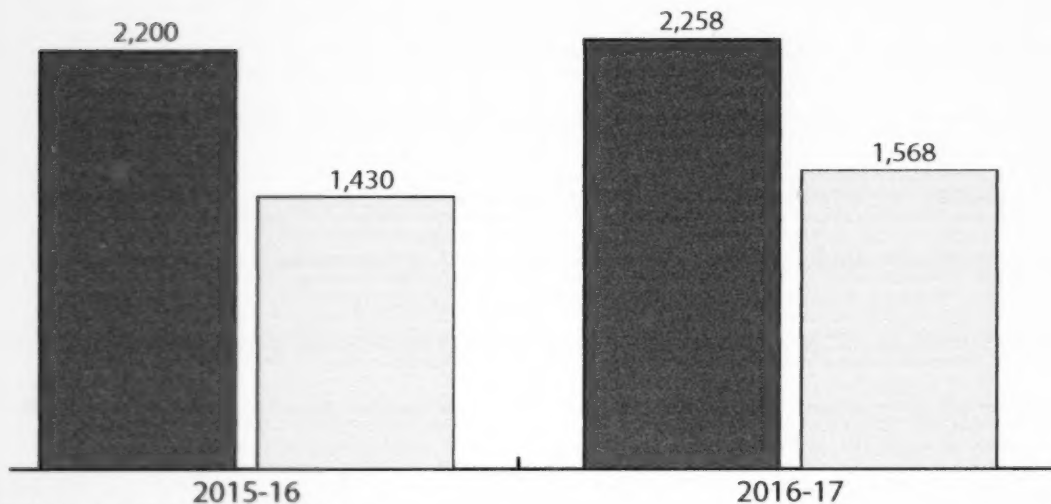
- ⇒ 2,021 formal complaints received (2,152 in 2015-16)
- ⇒ 2,263 investigations completed (highest in five years)
- ⇒ 100 anonymous or third-party complaints received (117 in 2015-16)
- ⇒ 29,240 phone calls handled by the Hosted Contact Centre, plus 913 email and web enquiries (30,948 and 1,055 last year)
- ⇒ \$3.604 in owed wages assessed, \$2.522 of that was recovered (\$2.816M and \$2.213M in 2015-16)
- ⇒ 2 prosecution convictions resulting in \$16,880 in penalties
- ⇒ 105 days to resolve a formal complaint investigation (113 days in 2015-16)
- ⇒ Over 621,000 views of ES content on saskatchewan.ca

Performance Measures

The 2016-17 Plan stated that by March 31, 2017:

- ⇒ Identify the percentage of youth aged 14 and 15 that have taken the new Young Worker Readiness Certificate Course; and
- ⇒ Identify the percentage of complaints closed within 100 days.

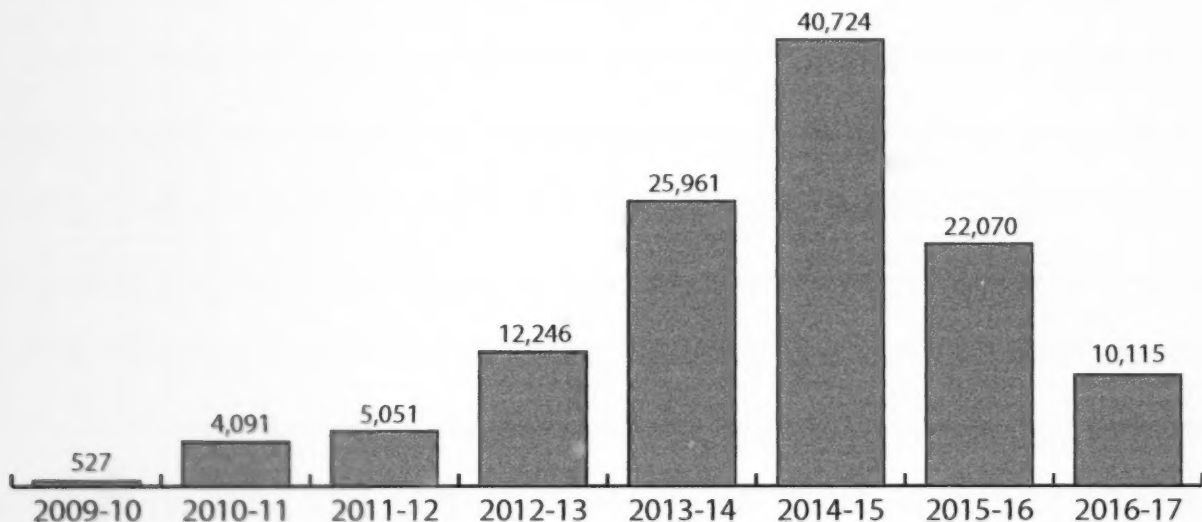
Resolution Time: Employment Standards Complaints



Source: Ministry of Labour Relations and Workplace Safety

The number of complaints closed has remained relatively constant over the last two years (2.6 per cent increase in complaints closed). During this same period of time, the number of complaints closed within 100 days has increased by 9.7 per cent. This increase in complaints closed within 100 days is the result of a concerted effort of the Ministry to streamline processes. The result of this increase is that employees are receiving their owed wages in a timelier manner.

YWRCC Certificates Issued



The above graph identifies the number of certificates issued since the YWRCC was created in 2010. The information on the number of certificates issued between 2009-10 and September 9, 2015 are based on Google Analytics page views. With the launch of the enhanced course on September 10, 2015, improved tracking is being done to identify the number of certificates issued.

It is noted that the number of certificates issued is a proxy for the number of people that have successfully taken the course. As this course is used by other groups it is not possible to know how many 14 and 15 year olds have taken the course.

Government Goals



Strategic priority from the *Saskatchewan Plan for Growth*: fair and balanced labour environment while sustaining Saskatchewan's economic growth.

Ministry Goal

Maintain Saskatchewan's productive and competitive economy

Strategy

Promote leading practices in the areas of occupational health and safety, labour relations, employment standards and workers' advocacy

Key Actions and Results

Continue to work cooperatively with Federal, Provincial and Territorial counterparts in analyzing and implementing leading practices

- ⇒ The Ministry continues to work cooperatively with counterparts on subcommittees of the Canadian Association of Administrators of Labour Legislation (CAALL) to identify areas of mutual interest and concern.
- ⇒ The Office of the Workers' Advocate continues to work cooperatively with jurisdictional counterparts on the Canadian Association of Workers' Advisors and Advocates (CAWAA) to identify and implement leading practices in advocacy and representation of injured workers and families.

Continue to work cooperatively with jurisdictional counterparts in analyzing and implementing leading practices

- ⇒ Ministry officials continue to work cooperatively with counterparts as the Government's representative on the subcommittees of the Canadian Association of Administrators of Labour Legislation (CAALL).
- ⇒ The OWA continues to work cooperatively with jurisdictional counterparts as part of the Canadian Association of Workers' Advisors and Advocates to identify and implement leading practices in advocacy and representation.
- ⇒ Ministry officials continue to work with officials from Alberta and British Columbia to identify and harmonize occupational health and safety standards that inhibit the free flow of people, goods, services and investment across the western provinces.

Continue to evaluate programs and services to ensure leading practices are used in the effective delivery of services to clients

- ⇒ In 2016-17, the Ministry conducted 12 Continuous Improvement events, which included:
 - ✦ Three events to improve the staffing and training processes to deliver services to employers and employees (OHS).
 - ✦ Another event which improved the process for identification of priority employers (OHS).
 - ✦ An event which resulted in a reduction in the amount of time required to investigate a claim to under 100 days (ES).
 - ✦ Additional events were undertaken throughout the Ministry to improve administrative processes to better serve clients.
 - ✦ Implementation of new technology which enables the filing of requests for service via smart phones (OWA).
- ⇒ All divisions have established a standard for responding to requests within a 24-hour period.
- ⇒ Service standards have been introduced or are in development for all program areas.

Performance Measures

Service standards have been developed for the Office of the Workers' Advocate and the Labour Relations and Mediation Division

Strategy

Maintain modern and competitive legislation and regulation

Key Actions and Results

Continue to harmonize the Workplace Hazardous Materials Information System regulations

- ⇒ *The Occupational Health and Safety (Workplace Hazardous Materials Information System) Regulations* came into effect on August 17, 2016. Workplaces have until December 1, 2018 to come into full compliance with the new regulations. The implementation of these new regulations will improve worker safety and establish consistent labeling of chemicals.
- ⇒ During the transition period, workplaces need to be fully compliant with the provisions of *The Occupational Health and Safety Regulations, 1996* or with the new provisions in *The Occupational Health and Safety (Workplace Hazardous Materials Information System) Regulations*.

Continue to support the activities of the Workers' Compensation Act Committee of Review in its review of *The Workers' Compensation Act, 2013*, the associated regulations and the Workers' Compensation Board policies

- ⇒ The Workers' Compensation Act Committee of Review submitted its report to the Government on June 30, 2016. The report and recommendations were made public on November 10, 2016.
- ⇒ The report contains eleven recommendations for change. Eight are policy or procedural in nature which will be addressed by the Workers' Compensation Board (WCB) after further analysis. Three would require amendments to the Act and/or regulations to be implemented.
- ⇒ Any legislative or regulatory amendments would only occur after consultation with interested parties.

Continue to evaluate and revise occupational health and safety regulations and policies in conjunction with other jurisdictions

- ⇒ The Ministry continues to collaborate with jurisdictional counterparts to identify areas for harmonization. In addition, jurisdictions are evaluating leading practices in the education and enforcement of standards.

Develop a plan to review the Parts of *The Saskatchewan Employment Act* in accordance with the legislation

- ⇒ The Ministry is mandated under *The Saskatchewan Employment Act* to conduct a legislative review of at least one Part of the Act within five years of coming into force, and a review of all Parts within 10 years of coming into force.
- ⇒ The Ministry has completed a review of Part VII, which resulted in a new essential services process being implemented on January 1, 2016. The new essential services process establishes a process for ensuring that essential services are maintained in the event of a workplace dispute. The changes made address the concerns raised by the Supreme Court of Canada in its January 30, 2015 decision.

Performance Measures

In 2016-17:

- ⇒ *The Occupational Health and Safety (Workplace Hazardous Materials Information System) Regulations* came into effect on August 17, 2016. These regulations are consistent with the regulations in other jurisdictions in Canada and across the world.
- ⇒ The Ministry continued its review of *The Mines Regulations, 2003*. It is anticipated that the new regulations will be passed in 2017 and come into effect in 2018.
- ⇒ The Workers' Compensation Act Committee of Review submitted its report on the review of *The Workers' Compensation Act, 2013* and the associated regulations on June 30, 2016.

2016-17 Financial Overview

	(thousands of dollars)			
	2015-16 Actual	2016-17 Budget	2016-17 Actual	2016-17 Variance Over/(Under)
Revenue				
Proceeds from Other Funds	\$12,025	\$11,483	\$12,074	\$591 ¹
Receipts from Federal Government	226	250	230	(20)
Privileges, Licenses and Permits	-	9	18	9
Sales, Services and Service Fees	55	58	55	(3)
Other Revenue	23	-	-	-
Total Revenue	\$12,329	\$11,800	\$12,377	\$577
Expenditure				
Central Management and Services	\$ 4,194	\$ 4,592	\$ 4,165	\$(427) ²
Occupational Health and Safety	8,321	8,482	7,955	(527) ³
Employment Standards	2,840	2,869	2,837	(32)
Labour Relations Board	884	1,076	998	(78)
Labour Relations and Mediation	806	742	716	(26)
Workers' Advocate	798	840	843	3
Expenditures/Appropriation	\$17,843	\$18,601	\$17,514	\$ (1,087)
Capital Asset Acquisitions	-	-	-	-
Amortization of Capital Assets	124	42	42	-
Total Revised Estimates and Expenses	\$17,967	\$ 18,643	\$17,556	\$(1,087)
FTE Staff Complement (FTE-Full Time Equivalent)	157.2	154.1	150.7	(3.4) ⁴

Financial Schedule - Notes

Explanation of Major Variances:

1. Higher than anticipated revenue from the Workers' Compensation Board due to an increase in salaries and operating from the COR Review and increased officer positions.
2. The variance was due to lower than expected print advertising, general communications, postage charges, vacancy management, and other operating expenses.
3. The variance was due to vacancy management, and lower than expected operating expenses.

Explanation of FTE variance:

4. Variance was due to 3.4 FTE vacancy management.

For More Information

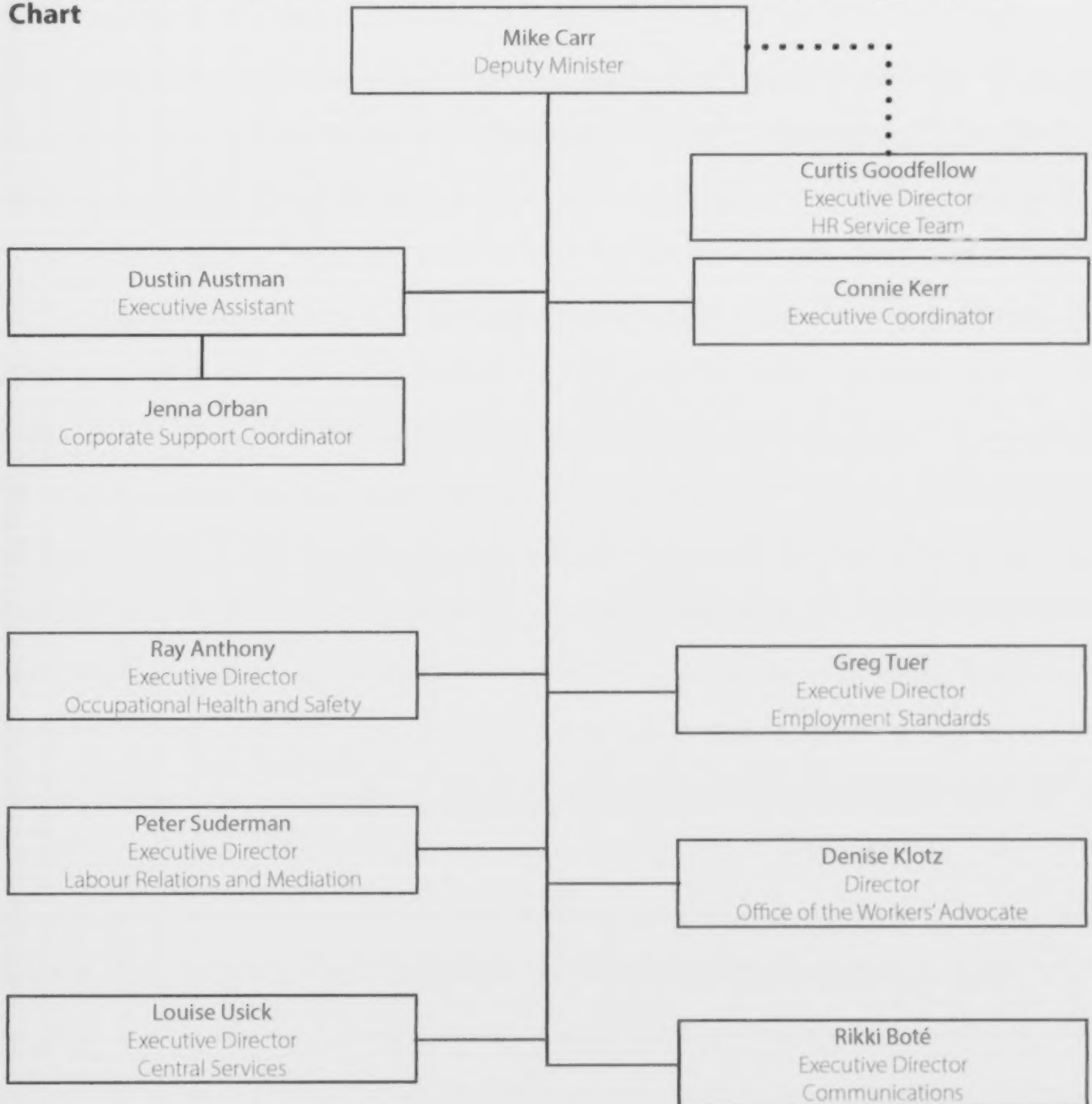
If you have any questions or comments we invite you to call (306) 787-9478 or contact:

Ministry of Labour Relations and Workplace Safety
Communications
1120 - 2010 12th Avenue
Regina, Saskatchewan S4P 0M3

To obtain more information about the programs and services contained in this Annual Report or to view other annual reports from this Ministry, please visit our website at saskatchewan.ca.

Appendices

Appendix A: Ministry of Labour Relations and Workplace Safety Organization Chart



Appendix B: Legislation

The Ministry of Labour Relations and Workplace Safety is responsible for three Acts and associated regulations:

- ⇒ *The Saskatchewan Employment Act*
- ⇒ *The Foreign Worker Recruitment and Immigration Services Act*
- ⇒ *The Human Resources, Labour and Employment Act*
- ⇒ *The Victims of Workplace Injuries Day of Mourning Act*

